

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ASHLEY L. HAMPTON,

Plaintiff,

v.

CREDIT CONTROL, LLC

Defendant.

2:19-cv-12794-MAG-MJH

Judge Mark A. Goldsmith

JOINT DISCOVERY PLAN/SCHEDULING ORDER

Pursuant to Fed. R. Civ. P. 26(f) and this Court's Order (Dkt. #13), the Parties submit the following Joint Discovery Plan/Scheduling Order.

1. Brief Summary of the Case

Plaintiff's statement: Plaintiff alleges that Defendant placed not less than 10 collection calls to her cellular phone after she specifically demanded that it stop contacting her.

Defendant's statement: Defendant denies Plaintiff's allegations. On or about September 23, 2019, the Plaintiff called the Defendant and requested that Defendant cease and desist contact with her. Defendant made no calls to Plaintiff after Plaintiff requested that Defendant stop contacting her.

2. Jurisdiction:

Jurisdiction is based on federal question. Specifically, Plaintiff sued under the Fair Debt Collection Practice Act ("FDCPA"), 15 U.S.C. § 1692, *et seq.* Accordingly, jurisdiction is proper under 28 U.S.C. §§ 1331 and 1337.

3. Related Case:

None.

4. Contemplated Amendment of Pleadings:

At this time the parties do not contemplate any amendments. The parties purpose to complete any amendments to the pleadings or addition of any parties by February 21, 2020.

5. Discovery:

Plaintiff's statement: Plaintiff intends to undertake written and oral fact discovery of Defendant's interactions with Plaintiff as well as policies and procedures to be in compliance with the FDCPA. Limited expert discovery may also been needed by. Plaintiff does not anticipate any expert discovery or discovery disputes at this time.

Defendant: Intends to serve written discovery on Plaintiff and intends to take Plaintiff's deposition. Anticipates that it might need discovery from witnesses, if any, to the events alleged in Plaintiff's complaint. Defendant does not anticipate that expert discovery will be necessary and does not anticipate any discovery disputes.

6. ADR:

The parties are open to the idea of a settlement conference with the Magistrate Judge after discovery material have been exchanged.

7. Anticipated Motion Practice:

Plaintiff's statement: Plaintiff anticipates filing a motion for summary judgement after the completion of discovery.

Defendant: Defendant anticipates filing a motion for summary judgment following the completion of discovery.

8. Settlement:

Plaintiff's statement: Plaintiff is interested in early resolution of this matter and has tendered a settlement proposal in furtherance of the same.

Defendant's statement: Defendant denies the operative factual allegations asserted in Plaintiff's complaint and requires discovery before it can evaluate its position on settlement.

<u>EVENT</u>	<u>DEADLINE</u>
Initial Disclosures under Fed. R. Civ. P. 26(a)(1)	1/10/2020
Lay Witness Lists	6/5/2020
Exhibit List	6/5/2020
Expert Witness List and Disclosures under Fed. R. Civ. P. 26(a)(2) - Plaintiff	6/5//2020
Expert Witness List and Disclosures under Fed. R. Civ. P. 26(a)(2) - Defendant	7/3/2020
Discovery – Fact and Expert	7/17/2020
Early Settlement Conference (before magistrate judge)	Between close of discovery and SJ
Dispositive Motions & Motions to Limit/Exclude Expert Testimony	7/31/2020
All Other Motions, Including Motions in Limine	11/9/2020
Settlement Conference (before district judge)	11/30/2020
Joint Final Pretrial order	12/7/2020
Final Pretrial Conference	12/21/2020
Trial	1/4/2021

December 23, 2019

s/ Nathan Volheim

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